

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:

JESUS FRANCISCO VAZQUEZ ZAYAS
KARELIS MARQUEZ PEREIRA

(DEBTOR)

CASE NO. 10-03850

CHAPTER 13

INFORMATIVE MOTION
(AMENDED SCHEDULES C, I & J)

TO THE HONORABLE COURT:

Comes now Debtor, represented by the undersigned attorney, and represents as follows:

1. Debtor informs of the separate filing of Amended Schedules C, I and J pursuant to Rule 1009:

a. Amended Schedule C:

- i. to adjust amount of exemption claimed over real property,
- ii. to claim exemption over ELA retirement benefits, and
- iii. to claim exemption over Debtor's motor vehicle.

b. Amended Schedule I: to reflect changes on husband's employment and income, occurred post-petition.

c. Amended Schedule J: to reflect the necessary adjustment in expenses upon husband's re-employment, particularly in connection with the use of his vehicle for working purposes and daughter's beginning schooling expenses at Academia Santa Gema, a private school.

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WHEREFORE, Debtor prays from this Honorable Court to take notice and allow filing of the amended schedules.

RESPECTFULLY SUBMITTED.

NOTICE: Within fourteen (14) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.

CERTIFICATE OF SERVICE: I hereby certify that on this same date I electronically filed the above document with the Clerk of the Court using the CM/ECF System which will send a notification of such filing to all C/MECF participants in this case, including: U.S. Trustee, and to the Assistant U.S. Trustee. Furthermore, I hereby certify that I mailed this document by First Class Mail postage prepaid to the non CM/ECF participants included in the attached master address list.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, September 14, 2010.

s/JOSE L. JIMENEZ QUINTONES
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IN RE VAZQUEZ ZAYAS, JESUS FRANCISCO & MARQUEZ PEREIRA, KARELI

Case No. 10-03850-13

(If known)

Debtor(s)

AMENDED SCHEDULE C - PROPERTY CLAIMED AS EXEMPTDebtor elects the exemptions to which debtor is entitled under:
(Check one box)☐ Check if debtor claims a homestead exemption that exceeds \$146,450. *

- ☒ 11 U.S.C. § 522(b)(2)
☐ 11 U.S.C. § 522(b)(3)

DESCRIPTION OF PROPERTY	SPECIFY LAW PROVIDING EACH EXEMPTION	VALUE OF CLAIMED EXEMPTION	CURRENT VALUE OF PROPERTY WITHOUT DEDUCTING EXEMPTIONS
SCHEDULE A - REAL PROPERTY			
PRINCIPAL PROPERTY LOCATED IN THOMAS VILLE PARK #3113, CAROLINA FINANCING WITH BANCO SANTANDER CONSISTING OF 1,123.72 SQ. 3 BEDROOMS AND 2 BATHROOMS	11 USC § 522(d)(1)	29,307.45	150,000.00
SCHEDULE B - PERSONAL PROPERTY			
BANK ACCOUNTS AT BANCO POPULAR DE PUERTO RICO (7535). ESTIMATED AMOUNT, NOT VERIFIED.	11 USC § 522(d)(5)	543.00	543.00
BANK ACCOUNTS AT BANCO POPULAR DE PUERTO RICO (1590). ESTIMATED AMOUNT, NOT VERIFIED.	11 USC § 522(d)(5)	70.35	70.35
FURNITURE AND APPLIANCES AT CURRENT SALE PRICE IN LIQUIDATION SCENARIO. ESTIMATED AMOUNT, NOT VERIFIED.	11 USC § 522(d)(3)	5,000.00	5,000.00
CLOTHING. ESTIMATED AMOUNT, NOT VERIFIED.	11 USC § 522(d)(3)	800.00	800.00
JEWELRY. ESTIMATED AMOUNT, NOT VERIFIED.	11 USC § 522(d)(4)	500.00	500.00
RETIREMENT FROM ELA. RETIREMENT BENEFITS NOT PROPERTY OF THE ESTATE. INCLUDED FOR DISCLOSURE PURPOSES. ESTIMATED BALANCE NOT VERIFIED.	11 USC § 522(d)(12)	5,272.16	5,272.16
STATE TAX REFUND	11 USC § 522(d)(5)	919.00	919.00
2006 HYUNDAI SANTA FE FINANCING WITH PENTAGON. ESTIMATED AMOUNT, NOT VERIFIED.	11 USC § 522(d)(2)	3,067.00	11,500.00

* Amount subject to adjustment on 4/1/13 and every three years thereafter with respect to cases commenced on or after the date of adjustment.

B6I (Official Form 61) (12/07)
 IN RE VAZQUEZ ZAYAS, JESUS FRANCISCO & MARQUEZ PEREIRA, KARELIS Debtor(s) Case No. 10-03850-13 (If known)

AMENDED SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by every married debtor, whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Do not state the name of any minor child. The average monthly income calculated on this form may differ from the current monthly income calculated on Form 22A, 22B, or 22C.

Debtor's Marital Status Married		DEPENDENTS OF DEBTOR AND SPOUSE	
		RELATIONSHIP(S): Daughter	AGE(S): 4
EMPLOYMENT:		DEBTOR	SPOUSE
Occupation	SALESMAN	TEACHER	
Name of Employer	TRAFON GROUP	DEPTO DE EDUCACION	
How long employed	3 months	3 years	
Address of Employer	GARDEN HILLS PLAZA PMB 342, 1353 CARR 19 GUAYNABO, PR 00966-2700	P.O. BOX 190759 SAN JUAN, PR 00919-0759	

INCOME: (Estimate of average or projected monthly income at time case filed)

	DEBTOR	SPOUSE
1. Current monthly gross wages, salary, and commissions (prorate if not paid monthly)	\$ 1,733.33	\$ 2,015.00
2. Estimated monthly overtime	\$	\$
3. SUBTOTAL	\$ 1,733.33	\$ 2,015.00
4. LESS PAYROLL DEDUCTIONS		
a. Payroll taxes and Social Security	\$ 206.75	\$ 111.64
b. Insurance	\$	\$ 246.00
c. Union dues	\$	\$
d. Other (specify) <u>See Schedule Attached</u>	\$	\$ 229.02
5. SUBTOTAL OF PAYROLL DEDUCTIONS	\$ 206.75	\$ 586.66
6. TOTAL NET MONTHLY TAKE HOME PAY	\$ 1,526.58	\$ 1,428.34
7. Regular income from operation of business or profession or farm (attach detailed statement)	\$	\$
8. Income from real property	\$	\$
9. Interest and dividends	\$	\$
10. Alimony, maintenance or support payments payable to the debtor for the debtor's use or that of dependents listed above	\$	\$
11. Social Security or other government assistance (Specify)	\$	\$
12. Pension or retirement income	\$	\$
13. Other monthly income (Specify) CHRISTMAS BONUS	\$	\$ 83.33
CAR ALLOWANCE	\$ 400.00	\$
14. SUBTOTAL OF LINES 7 THROUGH 13	\$ 400.00	\$ 83.33
15. AVERAGE MONTHLY INCOME (Add amounts shown on lines 6 and 14)	\$ 1,926.58	\$ 1,511.67
16. COMBINED AVERAGE MONTHLY INCOME: (Combine column totals from line 15; if there is only one debtor repeat total reported on line 15)	\$ 3,438.25	

(Report also on Summary of Schedules and, if applicable, on Statistical Summary of Certain Liabilities and Related Data)

17. Describe any increase or decrease in income reasonably anticipated to occur within the year following the filing of this document:
None

IN RE VAZQUEZ ZAYAS, JESUS FRANCISCO & MARQUEZ PEREIRA, KARELI Case No. 10-03850-13

Debtor(s)

AMENDED SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

Continuation Sheet - Page 1 of 1

	DEBTOR	SPOUSE
Other Payroll Deductions:		
Retirement Plan		159.76
Union		16.00
AEELA Savings		53.26

IN RE VAZQUEZ ZAYAS, JESUS FRANCISCO & MARQUEZ PEREIRA, KARELIS

Case No. 10-03850-13

Debtor(s)

(If known)

AMENDED SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)

Complete this schedule by estimating the average or projected monthly expenses of the debtor and the debtor's family at time case filed. Prorate any payments made biweekly, quarterly, semi-annually, or annually to show monthly rate. The average monthly expenses calculated on this form may differ from the deductions from income allowed on Form 22A or 22C.

☐ Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Complete a separate schedule of expenditures labeled "Spouse."

1. Rent or home mortgage payment (include lot rented for mobile home)	\$	<u>754.00</u>
a. Are real estate taxes included? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
b. Is property insurance included? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
2. Utilities:	\$	<u>118.00</u>
a. Electricity and heating fuel	\$	<u>31.05</u>
b. Water and sewer	\$	
c. Telephone	\$	
d. Other <u>CELLULAR</u>	\$	<u>50.00</u>
<u>CABLE TV</u>	\$	<u>50.00</u>
3. Home maintenance (repairs and upkeep)	\$	<u>103.89</u>
4. Food	\$	<u>415.00</u>
5. Clothing	\$	<u>50.00</u>
6. Laundry and dry cleaning	\$	
7. Medical and dental expenses	\$	<u>25.00</u>
8. Transportation (not including car payments)	\$	<u>125.00</u>
9. Recreation, clubs and entertainment, newspapers, magazines, etc.	\$	<u>50.00</u>
10. Charitable contributions	\$	
11. Insurance (not deducted from wages or included in home mortgage payments)	\$	
a. Homeowner's or renter's	\$	
b. Life	\$	
c. Health	\$	
d. Auto	\$	<u>23.33</u>
e. Other	\$	
12. Taxes (not deducted from wages or included in home mortgage payments)	\$	
(Specify) <u>CAR LICENSE PRORATED (2)</u>	\$	<u>32.98</u>
13. Installment payments: (in chapter 11, 12 and 13 cases, do not list payments to be included in the plan)	\$	
a. Auto	\$	<u>325.00</u>
b. Other <u>CAR MAINTENANCE</u>	\$	<u>50.00</u>
14. Alimony, maintenance, and support paid to others	\$	
15. Payments for support of additional dependents not living at your home	\$	
16. Regular expenses from operation of business, profession, or farm (attach detailed statement)	\$	
17. Other <u>See Schedule Attached</u>	\$	<u>685.00</u>
	\$	
	\$	

18. AVERAGE MONTHLY EXPENSES (Total lines 1-17. Report also on Summary of Schedules and, if applicable, on the Statistical Summary of Certain Liabilities and Related Data.

\$ 2,888.25

19. Describe any increase or decrease in expenditures anticipated to occur within the year following the filing of this document:

None

20. STATEMENT OF MONTHLY NET INCOME

a. Average monthly income from Line 15 of Schedule I	\$	<u>3,438.25</u>
b. Average monthly expenses from Line 18 above	\$	<u>2,888.25</u>
c. Monthly net income (a. minus b.)	\$	<u>550.00</u>

IN RE VAZQUEZ ZAYAS, JESUS FRANCISCO & MARQUEZ PEREIRA, KARELIS Case No. 10-03850-13

Debtor(s)

AMENDED SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)

Continuation Sheet - Page 1 of 1

Other Expenses (DEBTOR)	50.00
BREAKFAST	100.00
LUNCHES	40.00
PERSONAL CARE & GROOMING	255.00
WORK MOTOR VEHICLE EXPENSES	240.00
SCHOOL EXPENSES AT SANTA GEMA	

B6 Declaration (Official Form 6 - Declaration) (12/09)
 IN RE VAZQUEZ ZAYAS, JESUS FRANCISCO & MARQUEZ PEREIRA, KARELIS Case No. 10-03850-13
 Debtor(s) (If known)

AMENDED DECLARATION CONCERNING DEBTOR'S SCHEDULES

DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of 5 sheets, and that they are true and correct to the best of my knowledge, information, and belief.

Date: September 14, 2010 Signature: /s/ JESUS FRANCISCO VAZQUEZ ZAYAS
JESUS FRANCISCO VAZQUEZ ZAYAS Debtor
 Date: September 14, 2010 Signature: /s/ KARELIS MARQUEZ PEREIRA
KARELIS MARQUEZ PEREIRA (Joint Debtor, if any)
 [If joint case, both spouses must sign.]

DECLARATION AND SIGNATURE OF NON-ATTORNEY BANKRUPTCY PETITION PREPARER (Sec 11 U.S.C. § 110)

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342 (b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required by that section.

Printed or Typed Name and Title, if any, of Bankruptcy Petition Preparer Social Security No. (Required by 11 U.S.C. § 110.)
 If the bankruptcy petition preparer is not an individual, state the name, title (if any), address, and social security number of the officer, principal, responsible person, or partner who signs the document.

Address

Signature of Bankruptcy Petition Preparer Date

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document, unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional signed sheets conforming to the appropriate Official Form for each person.

A bankruptcy petition preparer's failure to comply with the provision of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I, the _____ (the president or other officer or an authorized agent of the corporation or a member or an authorized agent of the partnership) of the _____ (corporation or partnership) named as debtor in this case, declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of _____ sheets (total shown on summary page plus 1), and that they are true and correct to the best of my knowledge, information, and belief.

Date: _____ Signature: _____

(Print or type name of individual signing on behalf of debtor)

[An individual signing on behalf of a partnership or corporation must indicate position or relationship to debtor.]

Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. §§ 152 and 3571.

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CAROLINA PR 00987

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SAN JUAN PR 00936-8100

COOP DE ARECIBO
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THE LAKES NV 89163-7802

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NEWARK, NJ 01101-1270

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LVNV FUNDING LLC
RESURGENT CAPITAL SERVICES
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GREENVILLE SC 29603-0587

ASOCIACION DE EMPLEADOS DEL ELA
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SAN JUAN PR 00936-4508

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HANOVER MD 21076

MARIBEL RUBIO BELLO ESQ
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ARECIBO PR 00614

AT&T MOBILITY
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DENVER CO 80217

CITIFINANCIAL
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CHARLOTTE NC 28272-0919

PENTAGON FEDERAL CREDIT UNION
1001 N FAIRFAX ST
ALEXANDRIA VA 22314-1503

AT&T MOBILITY
PO BOX 15067
SAN JUAN PR 00902-8567

CLARO
PO BOX 70366
SAN JUAN PR 00936-8366

RADIO SHACK CORPORATION
PO BOX 689183
DES MOINES IA 50368

RELIABLE FINANCIAL SERVICES
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SAN JUAN PR 00928

VELMA E DIAZ CARRASQUILLO ESQ
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SANN JUAN PR 00936-1508

RG PREMIER BANK
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GUAYNABO PR 00970-2510

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